UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

GUIDE DOGS FOR THE BLIND, INC. Employer

and

Case 20-RC-18286

OFFICE OF PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, LOCAL 29 Petitioner

CORRECTED ORDER

On March 25, 2010, the two sitting members of the Board issued an Order granting review in part and denying review in all other respects in this proceeding. On June 17, 2010, the United States Supreme Court issued its decision in *New Process Steel, L.P. v. NLRB*, 130 S.Ct. 2635, holding that under Section 3(b) of the Act, in order to exercise the delegated authority of the Board, a delegee group of at least three members must be maintained. The Board has carefully considered the Employer's March 15, 2010, Request for Review of the Regional Director's Decision and Direction of Election and finds it raises substantial issues warranting review solely with respect to the exclusion of employees from the veterinary, AAGSO, breeding, kennel, and puppyraising departments. Accordingly, we affirm the decision to grant the earlier Request for Review with respect to those issues, and affirm the decision to deny the Request for Review in all other respects.

WILMA B. LIEBMAN,

CHAIRMAN

PETER C. SCHAUMBER,

MEMBER

BRIAN E. HAYES,

MEMBER

Dated, Washington, D.C., September 13, 2010.